

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

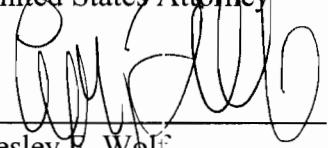
UNITED STATES OF AMERICA, :  
Plaintiff, :  
: :  
v. : Criminal Action No. 07-174-GMS  
: :  
GARY EARL, :  
Defendant. :  
:

**MOTION AND ORDER TO DISMISS**

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Lesley F. Wolf, Assistant United States Attorney for the District of Delaware, and hereby moves this Honorable Court to dismiss the Indictment in this matter dated December 27, 2007.

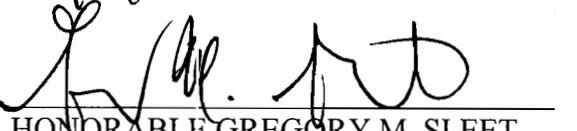
Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

By:   
Lesley F. Wolf  
Assistant United States Attorney  
1007 Orange Street, Suite 700  
P.O. Box 2046  
Wilmington, Delaware 19899-2046

DATED: July 8, 2008

IT IS SO ORDERED this 1<sup>st</sup> day of August 2008.

  
HONORABLE GREGORY M. SLEET  
UNITED STATES DISTRICT JUDGE